

111TH CONGRESS
1ST SESSION

S. 554

To improve the safety of motorcoaches, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 9, 2009

Mr. BROWN (for himself and Mrs. HUTCHISON) introduced the following bill;
which was read twice and referred to the Committee on Commerce,
Science, and Transportation

A BILL

To improve the safety of motorcoaches, and for other
purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Motorcoach Enhanced Safety Act of 2009”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Study and report on improved bus crashworthiness and crash avoidance.

Sec. 4. Regulations for improved occupant protection and motorcoach crash
avoidance.

Sec. 5. Improved oversight of providers of motorcoach services and of other
motor carriers of passengers.

- Sec. 6. Motorcoach driver training.
- Sec. 7. Improved commercial driver's license testing.
- Sec. 8. Improved physical fitness oversight and commercial driver medical certificates.
- Sec. 9. Safety enforcement technology to reduce driver fatigue.
- Sec. 10. Commercial motor vehicle safety inspection programs.
- Sec. 11. Regulations.

1 **SEC. 2. DEFINITIONS**

2 In this Act:

3 (1) **ADVANCED GLAZING.**—The term “advanced
4 glazing” means glazing installed in a portal on the
5 side or the roof of a motorcoach that is designed to
6 be highly resistant to partial or complete occupant
7 ejection in all types of motor vehicle crashes.

8 (2) **BUS.**—The term “bus” has the meaning
9 given such term in section 571.3(b) of title 49, Code
10 of Federal Regulations (as in effect on the day be-
11 fore the date of enactment of this Act).

12 (3) **COMMERCIAL MOTOR VEHICLE.**—The term
13 “commercial motor vehicle” has the meaning given
14 such term in section 31132(1) of title 49, United
15 States Code.

16 (4) **DIRECT TIRE PRESSURE MONITORING SYS-**
17 **TEM.**—The term “direct tire pressure monitoring
18 system” means a tire pressure monitoring system, as
19 that term is defined in section 571.138 of title 49,
20 Code of Federal Regulations, that is capable of di-
21 rectly detecting when the air pressure level in any
22 tire is significantly under-inflated and immediately

1 providing the driver a low tire pressure warning as
2 to which specific tire is significantly under-inflated.

3 (5) ELECTRONIC ON-BOARD RECORDER.—The
4 term “electronic on-board recorder” means an elec-
5 tronic device that acquires and stores data showing
6 the record of duty status of the vehicle operator and
7 performs the functions required of an automatic on-
8 board recording device in section 395.15(b) of title
9 49, Code of Federal Regulations.

10 (6) EVENT DATA RECORDER.—The term “event
11 data recorder” has the meaning given that term in
12 section 563.5 of title 49, Code of Federal Regula-
13 tions.

14 (7) MANUFACTURER.—The term “manufac-
15 turer” has the meaning given such term in section
16 30102(a) of title 49, United States Code.

17 (8) MOTOR CARRIER.—The term “motor car-
18 rier” has the meaning given such term in section
19 13102(14) of title 49, United States Code.

20 (9) MOTORCOACH.—The term “motorcoach”
21 has the meaning given the term “over-the-road bus”
22 in section 3038(a)(3) of the Transportation Equity
23 Act for the 21st Century (Public Law 105–78; 49
24 U.S.C. 5310 note), but does not include the fol-
25 lowing:

1 (A) Buses used in public transportation
2 provided by a State or local government.

3 (B) School buses, including multifunction
4 school activity buses.

5 (10) MOTORCOACH MANUFACTURER.—The
6 term “motorcoach manufacturer” means a manufac-
7 turer that manufactures, assembles, or imports
8 motorcoaches for resale in the United States.

9 (11) MOTORCOACH SERVICES.—The term “mo-
10 torcoach services” means passenger transportation
11 by motorcoach for compensation.

12 (12) MULTIFUNCTION SCHOOL ACTIVITY
13 BUSES.—The term “multifunction school activity
14 buses” has the meaning given such term in section
15 571.3(b) of title 49, Code of Federal Regulations (as
16 in effect on the day before the date of enactment of
17 this Act).

18 (13) PORTAL.—The term “portal” means any
19 opening on the front, sides, rear, or roof of a motor-
20 coach that could, in the event of a crash involving
21 the motorcoach, permit the partial or complete ejection of any occupant from the motorcoach, including
22 a young child.

24 (14) PROVIDER OF MOTORCOACH SERVICES.—
25 The term “provider of motorcoach services” means

a motor carrier that provides passenger transportation services with a motorcoach for compensation, including per-trip compensation and contracted or chartered compensation.

(15) PUBLIC TRANSPORTATION.—The term “public transportation” has the meaning given such term in section 5302(a)(10) of title 49, United States Code.

(16) SAFETY BELT.—The term “safety belt” has the meaning given such term in section 153(i)(4)(B) of title 23, United States Code.

(17) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

SEC. 3. STUDY AND REPORT ON IMPROVED BUS CRASH-WORTHINESS AND CRASH AVOIDANCE.

(a) STUDY.—Not later than one year after the date of enactment of this Act, the Secretary shall complete a study of the following, with respect to buses that are more than 10,000 pounds gross vehicle weight rating:

(1) Bus safety design improvements and countermeasures for improving bus crashworthiness to achieve substantial improvements in occupant protection in all types of crashes, including the following:

(A) Active and passive restraint systems.

1 (B) Enhanced passenger compartmental-
2 ization.

3 (C) Upper and lower interior occupant im-
4 pact protection.

5 (D) Improved resistance to roof failures
6 leading to deformation and intrusion that result
7 in occupant injury.

8 (E) Improved resistance to occupant par-
9 tial and complete ejection.

10 (F) Improved crash compatibility with
11 other types and weights of motor vehicles in
12 order to reduce both the number and severity of
13 crashes and the number and severity of occu-
14 pant injuries both in buses and in the other ve-
15 hicles.

16 (2) Crash avoidance improvements to reduce
17 the number and severity of bus crashes, including
18 the following:

19 (A) Collision warning systems.

20 (B) Improved braking capabilities.

21 (C) Enhanced bus conspicuity.

22 (D) Increased resistance to loss-of-control
23 crashes.

24 (E) Improved resistance to rollover crash-
25 es.

1 (3) Bus fire protection and passenger evacu-
2 ation improvements, including the following:

3 (A) Effective emergency exit design.

4 (B) Effective emergency evacuation of pas-
5 sengers.

6 (C) Effective manual and automated fire
7 suppression systems.

8 (D) Increased vehicle resistance to fire
9 propagation, including both exterior and inte-
10 rior resistance to burning.

11 (E) Suppression of toxic smoke and vapors
12 in bus fires.

13 (F) Resistance to bus fuel system fires.

14 (G) Training of bus operators in the use of
15 firefighting equipment and the safe evacuation
16 of passengers.

17 (4) Such other occupant protection safety coun-
18 termeasures as the Secretary considers appropriate.

19 (b) REPORT.—Not later than one year after the date
20 of enactment of this Act, the Secretary shall submit to
21 the Committee on Commerce, Science, and Transportation
22 of the Senate and the Committee on Energy and Com-
23 merce of the House of Representatives a report setting
24 forth the findings of the Secretary with respect to the

1 study required by subsection (a) and recommendations for
 2 legislative and regulatory changes.

3 **SEC. 4. REGULATIONS FOR IMPROVED OCCUPANT PROTEC-**
 4 **TION AND MOTORCOACH CRASH AVOIDANCE.**

5 (a) REGULATIONS REQUIRED 1 YEAR AFTER THE
 6 DATE OF ENACTMENT OF THIS ACT.—Not later than 1
 7 year after the date of the enactment of this Act, the Sec-
 8 retary shall prescribe regulations as follows:

9 (1) SAFETY BELTS.—The Secretary shall re-
 10 quire safety belts to be installed in motorcoaches at
 11 each designated seating position.

12 (2) ANTI-EJECTION SAFETY COUNTER-
 13 MEASURES.—The Secretary shall require
 14 motorcoaches to have advanced glazing installed in
 15 each motorcoach portal to prevent partial or com-
 16 plete ejection of passengers of motorcoaches,
 17 includeing such passengers that are children.

18 (3) FIREFIGHTING EQUIPMENT.—The Secretary
 19 shall require the installation in motorcoaches of im-
 20 proved firefighting equipment for the purpose of ef-
 21 fectively suppressing fires in motorcoaches to pre-
 22 vent passenger deaths and injuries.

23 (b) REGULATIONS REQUIRED 2 YEARS AFTER THE
 24 DATE OF ENACTMENT OF THIS ACT.—Not later than 2

1 years after the date of enactment of this Act, the Sec-
2 retary shall prescribe regulations as follows:

3 (1) COMPARTMENTALIZATION SAFETY COUN-
4 TERMEASURES.—The Secretary shall require en-
5 hanced compartmentalization safety counter-
6 measures for motorcoaches, including enhanced seat-
7 ing designs, to reduce substantially the risk of pas-
8 sengers being thrown from their seats and colliding
9 with other passengers, interior surfaces, or compo-
10 nents in the event of a crash involving a motorcoach.

11 (2) INTERIOR IMPACT PROTECTION.—The Sec-
12 retary shall establish enhanced occupant impact pro-
13 tection standards for motorcoach interiors to reduce
14 substantially serious injuries for all passengers of
15 motorcoaches.

16 (3) REDUCED ROLLOVER CRASHES.—The Sec-
17 retary shall require motorcoaches to be equipped
18 with stability enhancing technologies, such as elec-
19 tronic stability control, roll stability control, and
20 torque vectoring, to reduce substantially the number
21 and frequency of rollover crashes among
22 motorcoaches.

23 (4) ROOF STRENGTH AND CRUSH RESIST-
24 ANCE.—The Secretary shall establish improved roof
25 standards for motorcoaches that substantially im-

1 prove the resistance of motorcoach roofs to deforma-
2 tion and intrusion to prevent serious occupant injury
3 in rollover crashes involving motorcoaches.

4 (5) ENHANCED CONSPICUITY.—The Secretary
5 shall require enhanced conspicuity of motorcoaches
6 to enable other motor vehicle operators, cyclists, and
7 pedestrians to better detect motorcoaches in order to
8 reduce the risk of collisions involving motorcoaches.

9 (6) SMOKE SUPPRESSION.—The Secretary shall
10 amend Federal motor vehicle safety standard num-
11 ber 302 (49 C.F.R. 571.302; relating to flamma-
12 bility of interior materials) to require realistic tests
13 to improve the resistance of motorcoach interiors
14 and components to burning, prevent inhalation by
15 passengers of toxic smoke and vapors, and permit
16 sufficient time for the safe evacuation of passengers
17 from motorcoaches.

18 (7) RESISTANCE TO FUEL SYSTEM FIRES.—The
19 Secretary shall amend Federal motor vehicle safety
20 standard number 301 (49 C.F.R. 571.301; relating
21 to fuel system integrity) to require that
22 motorcoaches have improved fuel systems in order to
23 suppress fuel-fed fires and substantially reduce occu-
24 pant deaths and injuries from fuel fires.

1 (8) PASSENGER EVACUATION.—The Secretary
2 shall require motorcoaches be equipped with the fol-
3 lowing:

4 (A) IMPROVED EMERGENCY EVACUATION
5 DESIGNS.—Improved emergency exit window,
6 door, and roof hatch designs to expedite access
7 and use by passengers of motorcoaches under
8 all emergency circumstances, including crashes
9 and fires.

10 (B) EMERGENCY INTERIOR LIGHTING.—
11 Emergency interior lighting systems, including
12 luminescent or retroreflectorized delineation of
13 evacuation paths and exits, that are triggered
14 by a crash or other emergency incidents to ac-
15 complish more rapid and effective evacuation of
16 passengers.

17 (c) REGULATIONS REQUIRED 3 YEARS AFTER THE
18 DATE OF ENACTMENT OF THIS ACT.—Not later than 3
19 years after the date of enactment of this Act, the Sec-
20 retary shall prescribe regulations as follows:

21 (1) ADAPTIVE CRUISE CONTROL.—Require
22 motorcoaches to be equipped with adaptive cruise
23 control for maintaining safe trailing distances when
24 underway and a collision warning system that pro-

vides sufficient advance notice to the operator of a motorcoach of any imminent impact.

(2) AUTOMOTIVE FIRE SUPPRESSION.—Require motorcoaches to be equipped with highly effective fire suppression systems that automatically respond to and suppress all fires in such motorcoaches.

(d) APPLICATION OF REGULATIONS.—

(1) PROSPECTIVE APPLICATION.—Except as provided in paragraph (2), a regulation prescribed in accordance with subsection (a), (b), or (c) shall apply to all motorcoaches that are manufactured on or after the effective date of such regulation.

(2) RETROFIT SAFETY REQUIREMENTS FOR EXISTING MOTORCOACHES.—

(A) IN GENERAL.—

(i) Except as provided in subparagraph (B), a regulation prescribed in accordance with subsection (a)(1) shall apply to all motorcoaches used for motorcoach services on or after the effective date of such regulation.

(ii) Except as provided in subparagraph (B), a regulation prescribed in accordance with subsection (a)(3) shall apply to all motorcoaches used for motorcoach

1 services on or after the effective date of
2 such regulation.

3 (iii) Except as provided in subpara-
4 graph (B), a regulation prescribed in ac-
5 cordance with subsection (b)(5) shall apply
6 to all motorcoaches used for motorcoach
7 services on or after the effective date of
8 such regulation.

9 (B) EXCEPTION.—In the case of a motor-
10 coach that was used for motorcoach services be-
11 fore the effective date of a regulation described
12 in subparagraph (A), such regulation shall not
13 apply to such motorcoach until—

14 (i) 2 years after the effective date of
15 such regulation; or

16 (ii) if the Secretary determines that
17 the application date described in clause (i)
18 would cause undue hardship, 5 years after
19 the effective date of such regulation.

20 **SEC. 5. IMPROVED OVERSIGHT OF PROVIDERS OF MOTOR-**
21 **COACH SERVICES AND OTHER MOTORCOACH**
22 **CARRIERS OF PASSENGERS.**

23 (a) IN GENERAL.—Section 31144 of title 49, United
24 States Code, is amended by adding at the end the fol-
25 lowing:

1 “(h) PERIODIC SAFETY REVIEWS OF PROVIDERS OF
2 MOTORCOACH SERVICES.—

3 “(1) SAFETY REVIEW.—Not later than 3 years
4 after the date of the enactment of the Motorcoach
5 Enhanced Safety Act of 2009, the Secretary shall
6 require, by regulation, each provider of motorcoach
7 services registered with the Federal Motor Carrier
8 Safety Administration on or after such date of en-
9 actment to undergo a periodic safety review.

10 “(2) ELEMENTS OF REVIEW.—In the regula-
11 tions prescribed pursuant to paragraph (1), the Sec-
12 retary shall establish the elements of the periodic
13 safety review, including basic safety management
14 controls.

15 “(3) SAFETY FITNESS RATINGS.—As part of
16 the safety review required by this subsection, the
17 Secretary shall assign a safety fitness rating to each
18 provider of motorcoach services and shall reassess
19 such rating not less frequently than every 3 years.

20 “(4) MOTORCOACH SERVICES DEFINED.—In
21 this subsection, the term ‘provider of motorcoach
22 services’ has the meaning provided such term in sec-
23 tion 2 of the Motorcoach Enhanced Safety Act of
24 2009.”

1 (b) REVISION OF SAFETY AUDIT SYSTEM.—Not later
 2 than one year after the date of enactment of this Act, the
 3 Secretary shall revise the safety fitness audit system of
 4 the Department of Transportation established pursuant to
 5 section 31144 of title 49, United States Code, to conform
 6 with the safety recommendation H–99–6 of the National
 7 Transportation Safety Board issued February 26, 1999.

8 **SEC. 6. MOTORCOACH DRIVER TRAINING.**

9 (a) ESTABLISHMENT OF TRAINING CURRICULUM.—
 10 (1) IN GENERAL.—Not later than 2 years after
 11 the date of enactment of this Act, the Secretary
 12 shall establish, by regulation, a training curriculum
 13 for drivers of motorcoaches to be adopted by public
 14 and private schools and motor carriers that provide
 15 training for drivers of motorcoaches.

16 (2) CURRICULUM REQUIREMENTS.—The train-
 17 ing curriculum required by paragraph (1) shall in-
 18 clude the following:

19 (A) Classroom and behind-the-wheel in-
 20 struction that is adequate for all new drivers of
 21 motorcoaches to operate safely motorcoaches
 22 and respond effectively to emergency situations.

23 (B) Instruction in advanced knowledge and
 24 skills that are necessary to operate

1 motorcoaches safely, including knowledge and
2 skills necessary—

3 (i) to suppress motorcoach fires; and

4 (ii) to evacuate passengers from
5 motorcoaches safely.

6 (b) TRAINING REQUIRED.—

7 (1) IN GENERAL.—The Secretary shall require
8 each motorcoach driver seeking a commercial driv-
9 er's license passenger endorsement to undergo a
10 training program that includes the training cur-
11 riculum established pursuant to subsection (a) be-
12 fore taking a test for a commercial driver's license
13 passenger endorsement.

14 (2) CERTIFICATE OF COMPLETION RE-
15 QUIRED.—The Secretary shall require that each
16 driver seeking to take the test for the commercial
17 driver's license passenger endorsement shall present
18 a certificate to a State licensing authority certifying
19 that the driver has—

20 (A) successfully completed a motorcoach
21 driver training course that includes the cur-
22 riculum established in accordance with sub-
23 section (a); and

1 (B) received a passing grade for an exam-
 2 ination at the culmination of such training
 3 course.

4 (c) REPORT ON FEASIBILITY OF ESTABLISHING A
 5 SYSTEM OF CERTIFICATION OF TRAINING PROGRAMS.—
 6 Not later than one year after the date of enactment of
 7 this Act, the Secretary shall submit to the committee on
 8 Commerce, Science, and Transportation of the Senate and
 9 the Committee on Transportation and Infrastructure of
 10 the House of Representatives a report on the feasibility
 11 of establishing a system of certification of public and pri-
 12 vate schools and of motor carriers that provide motorcoach
 13 driver training in accordance with the curriculum estab-
 14 lished by the Secretary pursuant to subsection (a).

15 **SEC. 7. IMPROVED COMMERCIAL DRIVER'S LICENSE TEST-**
 16 **ING.**

17 (a) INCREASED STRINGENCY OF EXAMINATION FOR
 18 COMMERCIAL DRIVER'S LICENSE PASSENGER-CARRYING
 19 ENDORSEMENT.—

20 (1) IN GENERAL.—The Secretary shall pre-
 21 scribe standards that improve the quality and strin-
 22 gency of the examination for the commercial driver's
 23 license passenger-carrying endorsement. Such stand-
 24 ards shall require—

1 (A) a more stringent knowledge test than
 2 the test in effect on the day before the date of
 3 enactment of this Act; and

4 (B) a more stringent examination of the
 5 driving skills necessary to operate safely a for-
 6 hire passenger-carrying commercial motor vehi-
 7 cle than the examination of such skills in effect
 8 on the day before the date of enactment of this
 9 Act.

10 (2) COOPERATION.—In prescribing the stand-
 11 ards required by paragraph (1), the Secretary shall
 12 cooperate with the American Association of Motor
 13 Vehicle Administrators.

14 (b) MODIFICATION OF REQUIREMENTS FOR COM-
 15 Mercial DRIVER'S LICENSE PASSENGER-CARRYING EN-
 16 DORSEMENT.—The Secretary shall establish by regulation
 17 a requirement that a driver shall have a commercial driv-
 18 er's license passenger-carrying endorsement in order to
 19 operate a commercial motor vehicle and transport not less
 20 than 9 and not more than 15 passengers (including a driv-
 21 er) in interstate commerce for compensation.

1 **SEC. 8. IMPROVED PHYSICAL FITNESS OVERSIGHT AND**
 2 **COMMERCIAL DRIVER MEDICAL CERTIFI-**
 3 **CATES.**

4 (a) REQUIRE PASSAGE OF RIGOROUS EXAMINATION
 5 TO BE LISTED IN NATIONAL REGISTRY OF MEDICAL EX-
 6 AMINERS.—Section 31149(c)(1)(D) of title 49, United
 7 States Code, is amended to read as follows:

8 “(D) develop, as appropriate, specific
 9 courses and materials for medical examiners
 10 who wish to be listed in the national registry es-
 11 tablished under this section and develop a rig-
 12 orous examination for which a passing grade
 13 must be achieved to be listed in such national
 14 registry;”.

15 (b) INTEGRATION OF FEDERAL MEDICAL QUALI-
 16 FICATION CERTIFICATE AND COMMERCIAL DRIVER’S LI-
 17 CENSE.—Not later than 2 years after the date of enact-
 18 ment of this Act, the Secretary shall prescribe regulations
 19 that will prevent the submission and use of invalid or
 20 fraudulent medical certificates.

21 (c) MEDICAL EXAMINATION FORM COMPARISONS.—
 22 Not later than 2 years after the date of enactment of this
 23 Act, the Secretary shall require by regulation that—

24 (1) each time a medical examiner performs a
 25 medical examination to certify an applicant for a
 26 commercial driver’s license under section 391.43 of

1 title 49, Code of Federal Regulations, such medical
 2 examiner shall submit to the appropriate State li-
 3 censing agency the form for such examination re-
 4 quired by section 391.43(f) of such title (as in effect
 5 on the day before the date of enactment of this Act);
 6 and

7 (2) as a condition of approval of a State plan
 8 under section 31102(d) of title 49, United States
 9 Code (as added by section 109(b)), State licensing
 10 authorities shall compare the forms they receive pur-
 11 suant to paragraph (1) with the medical examiner's
 12 certificate required by section 391.43(g) of title 49,
 13 Code of Federal Regulations (as in effect on the day
 14 before the date of enactment of this Act), to deter-
 15 mine the accuracy and validity of the information
 16 contained in such forms and certificates.

17 (d) ADDITIONAL OVERSIGHT OF LICENSING AU-
 18 THORITIES.—

19 (1) IN GENERAL.—Section 31149(c)(1) of title
 20 49, United States Code, is amended—

21 (A) by striking “basis; and” in subpara-
 22 graph (E) and inserting “basis;”;

23 (B) by striking “certification” in subpara-
 24 graph (F) and inserting “certification; and”;

25 and

1 (C) by adding at the end the following:

2 “(G) each year, review the licensing au-
3 thorities of 10 States to assess the accuracy
4 and validity of physical examination reports and
5 medical certificates submitted by certified med-
6 ical examiners to such State licensing agen-
7 cies.”.

8 (2) INTERNAL OVERSIGHT POLICY.—

9 (A) IN GENERAL.—Not later than 2 years
10 after the date of enactment of this Act, the Sec-
11 retary shall establish an oversight policy and
12 process within the Department of Transpor-
13 tation for purposes of carrying out the require-
14 ment of subparagraph (G) of such section
15 31149(c)(1), as added by paragraph (1).

16 (B) EFFECTIVE DATE.—The requirement
17 of subparagraph (G) of section 31149(c)(1) of
18 title 49, United States Code, shall take effect
19 on the date that the oversight policies and proc-
20 esses are established pursuant to subparagraph
21 (A).

22 (e) DEADLINE FOR ESTABLISHMENT OF NATIONAL
23 REGISTRY OF MEDICAL EXAMINERS.—Not later than 1
24 year after the date of enactment of this Act, the Secretary
25 shall establish a national registry of medical examiners as

1 required by section 31149(d)(1) of title 49, United States
2 Code.

3 **SEC. 9. SAFETY, ENFORCEMENT AND RESEARCH TECH-**
4 **NOLOGY FOR COMMERCIAL MOTOR VEHI-**
5 **CLES.**

6 (a) ELECTRONIC ON-BOARD RECORDERS.—

7 (1) IN GENERAL.—

8 (A) Not later than 1 year after the date of
9 enactment of this Act, the Secretary shall pre-
10 scribe regulations requiring that all motor
11 coaches used by a motor carrier in interstate
12 commerce be equipped with electronic on-board
13 recorders.

14 (B) The regulations prescribed by the Sec-
15 retary under this section shall include perform-
16 ance requirements to ensure that electronic on-
17 board recorders—

18 (i) are linked with vehicle engine and
19 transmission functions and electronic con-
20 trol modules;

21 (ii) accurately record commercial driv-
22 er hours of service;

23 (iii) provide real-time tracking of driv-
24 er and vehicle location; and

25 (iv) are tamper-proof.

1 (2) APPLICABILITY.—The regulations pre-
2 scribed under paragraph (1) shall apply to all such
3 motor coaches beginning on the date that is 3 years
4 after the date of enactment of this Act.

5 (b) EVENT DATA RECORDERS.—

6 (1) IN GENERAL.—Not later than 1 year after
7 the date of enactment of this Act, the Secretary
8 shall prescribe performance requirements for event
9 data recorders, including requirements regarding
10 specific types of vehicle operations, events and inci-
11 dents, and systems information to be recorded, for
12 event data recorders to be used on motor coaches
13 used by motor carriers in interstate commerce. For
14 this purpose, the Secretary shall consider the per-
15 formance requirements for event data recorders for
16 passenger vehicles under part 563 of title 49, Code
17 of Federal Regulations, as a baseline specification
18 but shall require additional information or other per-
19 formance requirements as appropriate for such
20 motor coaches.

21 (2) APPLICABILITY.—The regulations pre-
22 scribed under paragraph (1) shall apply to all motor
23 coaches used by motor carriers in interstate com-
24 merce beginning on the date that is 5 years after the
25 date of enactment of this Act.

1 (c) COMBINED TECHNOLOGY.—Except as otherwise
 2 required by the Secretary, the requirements of subsections
 3 (a) and (b) may be combined in a single technology.

4 (d) COMMERCIAL MOTOR VEHICLE TIRES.—

5 (1) COMMERCIAL MOTOR VEHICLE TIRE PRES-
 6 SURE MONITORING SYSTEMS.—

7 (A) Not later than 2 years after the date
 8 of enactment of this Act, the Secretary shall
 9 issue regulations that require motorcoaches to
 10 be equipped with direct tire pressure monitoring
 11 systems that warn the operator of a commercial
 12 motor vehicle when any tire exhibits a level of
 13 air pressure that is below a specified level of air
 14 pressure established by the Secretary.

15 (B) The regulations prescribed by the Sec-
 16 retary under this section shall include perform-
 17 ance requirements to ensure that direct tire
 18 pressure monitoring systems are capable of
 19 performing—

- 20 (i) at all times when the ignition lock-
 21 ing system is in the “On” position;
- 22 (ii) at all vehicle speeds;
- 23 (iii) on all road surfaces;
- 24 (iv) during all weather conditions;

1 (v) after a repair or other service is
 2 performed on a tire; and
 3 (vi) on spare tires.

4 (2) COMMERCIAL MOTOR VEHICLE RETREADED
 5 TIRES.—Not later than 3 years after the date of en-
 6 actment of this Act, the Secretary shall establish a
 7 performance standard for retreaded, regrooved, or
 8 otherwise remanufactured commercial motor vehicle
 9 tires that ensures that such tires achieve a level of
 10 safety performance that is at least equivalent to the
 11 safety performance of new commercial motor vehicle
 12 tires.

13 **SEC. 10. COMMERCIAL MOTOR VEHICLE SAFETY INSPEC-**
 14 **TION PROGRAMS.**

15 (a) IN GENERAL.—Section 31142 of title 49, United
 16 States Code, is amended by striking subsections (a) and
 17 (b) and inserting the following:

18 “(a) ANNUAL SAFETY INSPECTION PROGRAM.—

19 “(1) PROGRAM REQUIRED.—In order to receive
 20 a grant pursuant to section 31102 of this title, a
 21 State shall conduct an annual safety inspection pro-
 22 gram for commercial motor vehicles, including motor
 23 carriers transporting not fewer than 9 and not more
 24 than 15 passengers (including a driver), that re-

1 ceives approval from the Secretary pursuant to para-
 2 graph (3).

3 “(2) INSPECTION OF SAFETY EQUIPMENT.—A
 4 commercial motor vehicle inspected under a program
 5 established pursuant to paragraph (1) is required to
 6 pass an inspection conducted by the State in which
 7 the vehicle is registered, of all safety equipment re-
 8 quired under the regulations prescribed under sec-
 9 tion 31136 of this title.

10 “(3) PERIODIC REVIEW OF STATE SAFETY IN-
 11 SPECTION PROGRAMS.—Not less frequently than
 12 once every 3 years, the Secretary shall review and
 13 approve or disapprove each State’s safety inspection
 14 program established pursuant to paragraph (1).

15 “(b) REGULATIONS FOR INSPECTION OF VEHICLES
 16 AND RECORD RETENTION.—

17 “(1) IN GENERAL.—The Secretary shall pre-
 18 scribe regulations on Government standards for—

19 “(A) inspection of commercial motor vehi-
 20 cles under programs established pursuant to
 21 subsection (a); and

22 “(B) retention by employers of records of
 23 such an inspection.

1 “(2) AUTHORITY.—Regulations prescribed
2 under this subsection are treated as regulations pre-
3 scribed under section 31136 of this title.”.

4 (b) CONDITION ON STATE GRANTS.—Section
5 31102(d) such title is amended to read as follows:

6 “(d) CONTINUOUS EVALUATION OF PLANS.—

7 “(1) IN GENERAL.—On the basis of reports
8 submitted by a State motor vehicle safety agency of
9 a State with a plan approved under this section and
10 the Secretary’s own investigations, the Secretary
11 shall make a continuing evaluation of the way the
12 State is carrying out the plan. If the Secretary finds,
13 after notice and opportunity for comment, the State
14 plan previously approved is not being followed or has
15 become inadequate to ensure enforcement of the reg-
16 ulations, standards, or orders, the Secretary shall
17 withdraw approval of the plan and notify the State.

18 “(2) APPROVAL OF ANNUAL COMMERCIAL
19 MOTOR VEHICLE INSPECTION PROGRAMS.—If, under
20 paragraph (3) of section 31142(a) of this title, the
21 Secretary disapproves of an annual safety inspection
22 program of a State established pursuant to para-
23 graph (1) of such section 31142(a), the Secretary
24 shall withdraw approval of the plan of such State
25 and notify the State.

1 “(3) EFFECTIVE DATE OF PLAN DIS-
 2 APPROVAL.—A State plan stops being effective
 3 under this subsection when notice is received by the
 4 State under this subsection.

5 “(4) JUDICIAL REVIEW.—A State adversely af-
 6 fected by a withdrawal of approval under this sub-
 7 section may seek judicial review under chapter 7 of
 8 title 5.

9 “(5) RETENTION OF JURISDICTION.—Notwith-
 10 standing a withdrawal of approval under this sub-
 11 section, the State may retain jurisdiction in adminis-
 12 trative or judicial proceedings begun before the with-
 13 drawal if the issues involved are not related directly
 14 to the reasons for the withdrawal.”.

15 (c) EFFECTIVE DATE.—The amendments made by
 16 this section shall take effect 1 year after the date of enact-
 17 ment of this Act.

18 **SEC. 11. REGULATIONS.**

19 Any standard or regulation prescribed or modified
 20 pursuant to this Act shall be done in accordance with sec-
 21 tion 553 of title 5, United States Code.

